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23

24 **IN THE UNITED STATES DISTRICT COURT**
25 **FOR THE DISTRICT OF ARIZONA**

26 IN RE: BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION,
27
28

No. 2:15-MD-02641-DGC

**JOINT REPORT TO COURT
REGARDING PRESERVATION**

In accordance with Section XV of Case Management Order No. 8 (Doc. 519), the parties have met and conferred regarding whether they can agree on a stipulated order dealing with preservation, including by plaintiffs. Based on those discussions, the parties believe that an ESI preservation order is not necessary at this time given the preservation obligations that they are already under pursuant to the Federal Rules of Civil Procedure and applicable case law. The parties have further agreed that if either of their positions changes regarding whether a preservation order is necessary, they will meet and confer in good faith with each other before bringing it to the Court's attention for resolution.

DATED this 12th day of February 2016.

GALLAGHER & KENNEDY, P.A.

SNELL & WILMER L.L.P.

By: /s/ Robert W. Boatman

By: /s/ Matthew B. Lerner [with permission]

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CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2016, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

/s/ Nancy Jo Koenes

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